

Privacy Notice – Controlled Drugs Accountable Officer (CDAO), Department of Health (DoH).

Data Controller Name: **Controlled Drugs Accountable Officer (CDAO), Department of Health (DoH)**

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Our purpose

The Department of Health (DOH) is committed to protecting your privacy when you use our services.

Following the closure of the Health and Social Care Board (HSCB) on 31st March 2022 and a transfer of HSCB functions to the Department, the Controlled Drugs Accountable Officer (CDAO) role has now transferred to the responsibility of the Department.

The DoH CDAO is based in the Pharmaceutical Advice and Services Directorate, headed by the Chief Pharmaceutical Officer, within the Department of Health in Northern Ireland and is responsible for overseeing the safe management of controlled drugs in primary care in Northern Ireland. This therefore includes oversight of all independent healthcare providers who prescribe, supply, or administer controlled drugs, such as GP practices, community pharmacies, and optometry and dental practices, and all other individuals who provide health care services including those named as relevant persons, defined in regulation 23 of the Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009 (amended 2015).^{1,2}

The purpose of this privacy notice is to explain why and how the CDAO role and associated functions requires the Department to process personal information, as well as to advise of data subject rights regarding this processing and how we comply with data protection law.

Why are you processing my personal information?

As outlined above, the CDAO within the Department of Health has responsibility for controlled drugs (CDs) governance arrangements and for overseeing the safe management and use of CDs by all its independent contractors, namely; GP practices, community pharmacies, and optometry and dental practices, as well as relevant

¹ [The Controlled Drugs \(Supervision of Management and Use\) Regulations \(Northern Ireland\) 2009](#)

² [The Controlled Drugs \(Supervision of Management and Use\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(legislation.gov.uk\)](#)

persons as defined in Regulation 23 of the Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009 (amended 2015).^{1,2}

The CDAO has a statutory obligation to ensure compliance with legislative requirements as set out in the Health Act 2006³ and the Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009 (amended 2015)^{1,2}, and some personal data processing is necessary to enable the CDAO to carry out this statutory responsibility.

The lawful basis for processing your information under UK GDPR⁴ is:

- Article 6(1)(e) - processing necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in the controller.

Processing of special category data is carried out under UK GDPR:

- Article 9(2)(g) - processing necessary for reasons of substantial public interest, and
- Article 9(2)(h) - processing which is necessary for the management of health or social care systems and services.

The relevant conditions for processing in line with Data Protection Act 2018 are:

- Schedule 1, Part 1 (2)(f)- 'Health or Social Care purposes'- the management of health care systems or services.
- Schedule 1, Part 2 (6)- 'Statutory and Government purposes'.

What categories of personal data are you processing?

In order to carry out the purposes described above, the CDAO and their team must process personal data (mainly about relevant healthcare providers in relation to controlled drugs), which may include information which relates to or consists of the following:

- Personal details of relevant healthcare providers, for example, name, business address, professional registration details, date of birth, national insurance number, business telephone number, business email address, job function and place of employment.
- Details about goods relevant healthcare providers have purchased or services they have bought and the traders they have dealt with.
- Details concerning relevant healthcare providers' business activities and practices.

¹ [The Controlled Drugs \(Supervision of Management and Use\) Regulations \(Northern Ireland\) 2009](#)

² [The Controlled Drugs \(Supervision of Management and Use\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(legislation.gov.uk\)](#)

³ [The Health Act 2006](#)

⁴ [UK Data Protection Legislation](#)

- Information about relevant healthcare providers lifestyle, social circumstances, health, employment and financial details, where relevant to any investigation or concern involving them.
- Personal data included within complaints or concerns received regarding consumer and business related matters, or as part of business related activities to ensure compliance with legislation. This would include periodic inspections, audit and monitoring reports.

The CDAO and their team may process special category/sensitive data including health information regarding medical conditions and patient medication information. This may include data gathered as part of an investigation where concerns about the management or use of controlled drugs have been identified. We will ensure that the limited personal information necessary for the purposes is processed, in line with data protection legislation.

Where do you get my personal data from?

Sources of personal information obtained for CDAO purposes outlined above may include but is not limited to the following:

- A complainant, (business or individual)
- Other HSC organisations, or HSC staff
- Professional regulatory bodies in the UK, e.g. General Medical Council (GMC), General Dental Council (GDC), Nursing and Midwifery Council (NMC) and the Pharmaceutical Society of NI
- Police Service of Northern Ireland (PSNI) and other law enforcement agencies, including HMRC, National Crime Agency (NCA) and Border Force.

Do you transfer my personal data to other countries?

Where necessary and in order to prevent and detect crime or harm to an individual, and in line with the Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009 (amended 2015)^{1,2}, the Department may transfer personal data to other relevant bodies in another country within the UK. Any transfers made will be in full compliance with all aspects of UK data protection law.

Do you share my personal data with anyone else?

In order to carry out the statutory duty of the CDAO, we may need to share your data with other organisations. Personal data is only shared when it is necessary. Organisations which we share your data with must store and use your data in line with data protection law, as data controllers for that information once they receive it.

Other organisations may include but are not limited to: -

- Other designated bodies that are directly or indirectly concerned with the provision of health care (whether or not for the purposes of the health service), or otherwise carrying on activities that involve, or may involve, the supply or administration of controlled drugs. The Department of Health is a designated body and the Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009 (amended 2015)^{1,2} list other designated bodies as:

- Health and Social Care Trusts
- Relevant independent hospitals
- Headquarters in Northern Ireland of regular or reserve forces (armed forces)
- Other Responsible bodies as listed in the Controlled Drugs (Supervision of Management and Use) Regulations (Northern Ireland) 2009 (amended 2015)^{1,2} namely:
 - Regulation and Quality Improvement Agency(RQIA)
 - Regional Business Services Organisation (RBSO)
 - Police Service of Northern Ireland (PSNI)
 - a Regulatory Body.
- Northern Ireland Regional Controlled Drugs Local Intelligence Network (LIN).

How long do you keep my personal data?

We will only retain your data for as long as necessary and in line with the approved Departmental Retention and Disposal Schedules set out in [Good Management, Good Records \(GMGR\)](#).

Information safeguards

We maintain appropriate technical and organisational safeguards to ensure an appropriate level of security of your personal data, in particular, to protect your personal data against unlawful or unauthorised destruction, loss, alteration, access, disclosure or use, in line with the requirements of UK GDPR and the Data Protection Act (DPA) 2018.

What rights do I have?

- Your right to be informed if your personal data is being used | ICO
<https://ico.org.uk/for-the-public/your-right-to-be-informed-if-your-personal-data-is-being-used/>
- Your right to get your data corrected | ICO
<https://ico.org.uk/for-the-public/your-right-to-get-your-data-corrected/>
- Your right to get your data deleted | ICO
<https://ico.org.uk/for-the-public/your-right-to-get-your-data-deleted/>
- The right to erasure and the right to restriction | ICO
<https://ico.org.uk/for-organisations/law-enforcement/guide-to-le-processing/individual-rights/the-right-to-erasure-and-the-right-to-restriction/>
- Your right to data portability | ICO
<https://ico.org.uk/for-the-public/your-right-to-data-portability/>

- The right to object to the use of your data | ICO
<https://ico.org.uk/for-the-public/the-right-to-object-to-the-use-of-your-data/>
- Your rights relating to decisions being made about you without human involvement | ICO
<https://ico.org.uk/for-the-public/your-rights-relating-to-decisions-being-made-about-you-without-human-involvement/>

How do I complain if I am not happy?

If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact the Department's Data Protection Officer using the contact details above.

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>